

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

LEWIS R. ROWE, JR.,

Petitioner,

CASE NO. 2:12-cv-141

v.

TIMOTHY BUCHANAN, WARDEN,

JUDGE JAMES L. GRAHAM
Magistrate Judge Kemp

Respondent.

OPINION AND ORDER

This case is before the Court to consider a Report and Recommendation issued by the Magistrate Judge on September 6, 2012. No objections have been filed to the Report and Recommendation. Therefore, the Court **ADOPTS** the Report and Recommendation. The petition is **DENIED** because the two claims (claims one and three) which are actually described in the petition have been procedurally defaulted. This case is therefore **DISMISSED**.

IT IS SO ORDERED.

Date: October 5, 2012

s/James L. Graham
James L. Graham
United States District Judge